



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 012-12 1301 W. MOUNTAIN DRIVE PERFORMANCE STANDARD PERMIT APRIL 4, 2012

APPLICATION OF BLACKBIRD ARCHITECTS FOR OWNER, DONALD MCCORKELL JR., 1301 W. MOUNTAIN DRIVE, APNs 021-050-038 & -039, A-1 (ONE FAMILY RESIDENCE) ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RES. (MAX. 1 UNIT/ACRE) (MST2012-00005)

The proposed project includes a new approximately 6,221 square foot single-family dwelling and 725 square foot attached garage to replace the 3,718 square foot single-family dwelling destroyed in the 2008 Tea Fire. The project also includes an approximately 615 square foot addition to the existing 510 square foot single-family dwelling and a new detached 450 square foot carport for the existing dwelling and addition.

The discretionary application required for this project is a Performance Standard Permit for an additional dwelling unit to provide two single-family dwellings on the 10.5 acre lot (SBMC §28.93.030).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303 (New Construction or Conversion of Small Structures).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303.

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak either in favor or in opposition of the application thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, March 28, 2012.
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. Paula Westbury, Santa Barbara, CA.

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

- I. Approved the Performance Standard Permit finding that the proposed additional dwelling unit complies with all requirements of the Zoning Ordinance and all standards of Santa Barbara Municipal Code Subsection 28.93.030.E including adequate lot area for two residential units as required in the A-1 Zone, adequate ingress and egress for each dwelling, and conformance with applicable setback, distance between buildings, open yard, solar access, and accessory building provisions.
- II. Said approval is subject to the following conditions:
 - A. The vegetation along the driveway shall be reduced and maintained to the satisfaction of the Fire Department.
 - B. The project shall be designed in a manner that provides for no more than two Residential Units, as defined by the Zoning Ordinance, on the property.

This motion was passed and adopted on the 4th day of April, 2012 by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Staff Hearing Officer at its meeting of the above date.

Kathleen Goo 4/5/12
Kathleen Goo, Staff Hearing Officer Secretary Date

PLEASE BE ADVISED:

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
4. Subsequent to the outcome of any appeal action your next administrative step should be to apply for Single Family Design Board (SFDB) approval and then a building permit.
5. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.

6. **NOTICE OF APPROVAL TIME LIMITS:** The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
- a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
 - b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
 - i. an Issuance of a Certificate of Occupancy for the use, or;
 - ii. one (1) year from granting the approval.

